

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TEXAS GUARANTEED STUDENT LOAN CORPORATION, <div style="text-align: right; padding-right: 20px;">Plaintiff,</div>)	<u>PLAINTIFF'S PROPOSED CIVIL CASE DISCOVERY PLAN AND SCHEDULING ORDER</u>
V.)	
MERCER STREET BOOKS, INC., <div style="text-align: right; padding-right: 20px;">Defendant.</div>)	7:06-cv-11495 (SCR)
)	

The following Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel for the parties, pursuant to Rules 26(f) and 16 of the Federal Rules of Civil Procedure. Counsel for Defendants has not filed an Appearance.

The case is not to be tried to a jury.

Joinder of additional parties must be accomplished by 12/15/07.

Amended pleadings may be filed until 12/15/07.

Discovery:

1. Interrogatories are to be served by all counsel no later than 2/15/07, and responses to such interrogatories shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall not apply to this case.
2. First request for production of documents, if any, to be served no later than 2/15/07.
3. Depositions to be completed by 5/15/07.

- (a) Unless counsel agree otherwise or the Court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents.
 - (b) Depositions shall proceed concurrently.
 - (c) Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
- 4. Any further interrogatories, including expert interrogatories, to be served no later than 6/15/07.
 - 5. Requests to Admit, if any, to be served no later than 8/15/07.
 - 6. Additional provisions relating to discovery agreed upon by counsel for the parties are not attached and made a part hereof.
 - 7. All discovery is to be complete by 9/15/07.

Initial Case Management Conference is scheduled for January 26, 2007 at 10:00 a.m.

Joint Pretrial Order is required only if counsel for all parties agree that it is desirable, or the Court so orders.

This case has been designated to the Hon. _____, United States Magistrate Judge at White Plains for discovery disputes if the Court is

“unavailable” and for trial under 28 U.S.C. § 636(c) if counsel execute their consent in writing.

Unless otherwise ordered by the Court, the parties are expected to commence discovery upon the receipt of this signed Scheduling Order.

Strict compliance with the trial readiness date will be required. This Plan and Order may not be changed without leave of the Court, except that upon signing a Consent for Trial Before a United States Magistrate Judge, the Magistrate Judge will establish an agreed date certain for trial and will amend this Plan and Order to provide for trial readiness consistent with that agreed date.

SO ORDERED

Stephen C. Robinson, US.D.J.

Dated at Bridgeport, Connecticut this 22nd day of November, 2006.

PULLMAN & COMLEY, LLC

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CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2006, a copy of foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

Service by mail was made on:

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